

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

PATENT NUMBER: 7,092,599

**RECEIVED**

ISSUE DATE: August 15, 2006

**JUN 11 2010**

APPLICATION SER. NUMBER: 10/706,901

**OFFICE OF PETITIONS**

FILING DATE: November 12, 2003

TITLE: Wavelength manipulation system and method

Current Date: June 01, 2010

**REQUEST FOR CORRECTION OF PAYMENT DEFICIENCY**  
**UNDER 37 C.F.R. 1.28 (c)**

Commissioner for Patents  
Mail Stop M Correspondence  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Owner of above-listed U.S. Patent No. 7,092,599 respectfully requests that a payment for deficiency owed regarding the 3.5-year maintenance fee be accepted by the Office. The patent maintenance fee previously paid for this matter on January 14, 2010 was paid in good faith based on a small entity status. However, due to an oversight the 3.5-year patent maintenance fee should have been paid based upon large entity status.

The total deficiency currently owed is \$490.00. The itemization of the deficiency payment is as follows:

06/04/2010 MBANGURA 00000020 504623 7092599  
01 FC:1559 490.00 DA

U.S. Pat. No. 7092599  
Ser. No. 10/706,901  
Date: June 01, 2010

Current Maint. Fee Due at 3.5 years for Large Entity:	\$980.00
Maint. Fee Previously Paid as Small Entity:	<u>\$490.00</u>
<b>TOTAL DEFICIENCY OWED:</b>	<b>\$490.00</b>

A request to CHANGE OF ENTITY STATUS PURSUANT TO 37 C.F.R.

§1.27 (g)(2) has been submitted herewith.

Owner of the above-listed patent respectfully requests the Office to accept this request to increase the 3.5 year maintenance fee to large entity based upon compliance herein with 37CFR 1.28 (c). The Commissioner is hereby authorized to charge \$490.00, the deficiency owed, and any additional fee that may be due or credit any overpayment to Representative's Deposit Account No. 50-4623.

Respectfully submitted,  
/Kendal M. Sheets/

Kendal M. Sheets  
Reg. No. 47, 077  
Authorized Representative  
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Certification of Facsimile Transmission

I hereby certify that this correspondence is being facsimile transmitted to the USPTO at 571-273-6500 on the date shown below.

DATE: June 02, 2010

SIGNATURE: /Kendal M. Sheets/

Large Entity Declaration

**PATENT**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Number: 10/706,901

Current Date: 27 April 2010

Filing Date: November 12, 2003

RECEIVED

Patent Number: 7,092,599

JUN 11 2010

Issue Date: August 15, 2006

OFFICE OF PETITIONS

**CHANGE OF ENTITY STATUS PURSUANT TO 37 C.F.R. §1.27 (g)(2)**

Commissioner for Patents  
Mail Stop M Correspondence  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

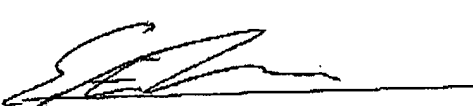
This communication hereby notifies the United States Patent and Trademark Office  
that small entity status is no longer applicable for the above-identified patent.

COMPANY or FIRM

Respectfully submitted,  
Optium Australia Pty Ltd  
PO Box 1897  
Strawberry Hills NSW 2012, Australia

**NAME AND ADDRESS:**

Steven Frisken  
7 Gilliver Ave Vacluse NSW  
Australia 2030

  
Signature

Steven James Frisken

Title: Director, Inventor



Fax:

2 Jun 2010 15:23 P001/004

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FAX TO:

OFFICE OF PETITIONS

4 Pages

Commissioner of Patents and Trademarks  
Office of Finance – Maintenance Fee Division  
2051 Jamieson Ave – Suite 300  
Alexandria, VA 22314

2 June 2010

RE: 7092599 10/706901  
Dep Acct 50-4623

Attached is a Request for Correction of Payment Deficiency under 37 C.F.R. 1.28 (c).

Please process those details handled by the Maintenance Fee Branch and forward on to the Petitions Department.

Many thanks for your assistance.

Kind regards,

Stacy Walden  
IP Specialist  
Supplier Compliance

E: swalden@cpaglobal.com  
T: 011 44 1534 811593  
F: 011 44 1534 826203

Certificate of Facsimile Transmission

I hereby certify that this document is being  
facsimile transmitted to the USPTO at 571-273-  
6500 on the date shown below.

Date  
2 June 2010

Signed

The Commissioner is hereby authorized to charge any additional fees associated with these payments or credit any overpayments to Deposit Account 50-4623.